

**CALENDAR ITEM
C81**

A 12

12/18/15

W 26933

PRC 7183.9

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A. Franzoia

**ACCEPTANCE OF QUITCLAIM DEED,
AMENDMENT OF GENERAL LEASE – PUBLIC AGENCY USE
AND ISSUANCE OF GENERAL LEASE – PUBLIC AGENCY USE**

APPLICANT:

County of Stanislaus
Department of Public Works
1716 Morgan Road
Modesto, CA 95358

AREA, LAND TYPE, AND LOCATION:

Sovereign land located in the Tuolumne River, between Empire and Hughson, Stanislaus County.

AUTHORIZED USE:

The construction, use, and maintenance of a new bridge with utility conduits and municipal water and sewer mains at Santa Fe Avenue on the Tuolumne River; the use of a temporary construction easement; the temporary use and maintenance of the existing Santa Fe Avenue Bridge; and the demolition and removal of the existing bridge, including bents and pier in the river.

LEASE TERM:

Master Lease (Lease No. PRC 7183.9): 49 years, beginning October 18, 1985.
New Bridge Lease (W 26933): 25 years, beginning December 18, 2015.

CONSIDERATION:

The public use and benefit, with the State reserving the right at any time to set a monetary rent if the Commission finds such action to be in the State's best interests.

SPECIFIC LEASE PROVISIONS:

1. Liability insurance in an amount no less than \$1,000,000 per occurrence. Applicant may satisfy all or part of the insurance requirements through maintenance of a self-insurance program as outlined in the Lease.

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2. Lessee shall not place, attach, or authorize the placement of any utilities or other improvements on the Bridge or within the Lease Premises without the Lessor's prior review and approval. Separate leases or subleases are required and shall be obtained for all utilities not operated by Lessee.
3. Lessee shall place warning signage and/or buoys, clearly visible from the shore and in the water, both upstream and downstream of the construction site, to provide notice of the bridge replacement project and to advise the public to exercise caution. Lessee shall place and maintain such signage at all times during bridge removal and construction activities, and shall notify the Division of Boating and Waterways within the California Department of Parks and Recreation of the location, description, and purpose of such signage upon their installation and removal.

OTHER PERTINENT INFORMATION:

1. Applicant owns and has the right to use the upland adjoining the lease premises.
2. A Master Lease (Lease No. PRC 7183.9) to the County of Stanislaus was authorized by the Commission on April 12, 1988, for the maintenance of five vehicular bridges – including the existing Santa Fe Avenue Bridge – and ancillary facilities crossing the San Joaquin, Stanislaus, and Tuolumne Rivers.
3. The existing Santa Fe Avenue Bridge (Bridge), crossing the Tuolumne River in Stanislaus County, was constructed in 1947. In 1997, Dokken Engineering, through the State's Local Agency Seismic Retrofit Program, determined the Bridge to be seismically deficient and in need of replacement. Additionally, a California Department of Transportation (CalTrans) maintenance inspection determined that the Bridge is functionally obsolete due to its non-standard width and non-crash rated railing. Stanislaus County Department of Public Works proposes to replace the bridge and has secured a combination of Local Bridge Seismic Safety Retrofit Program and Highway Bridge Program funds for the demolition and removal of the existing bridge and construction of the new bridge.

The replacement bridge will be approximately 520-foot long by 55-foot wide three span cast-in-place pre-stressed concrete box girder bridge with two support bents consisting of two, seven (7) foot diameter columns, accommodating three-lanes (two through lanes and a turn lane), pedestrian and bicycle access on both sides of the bridge, utility conduits, and municipal utilities located outside of the live channel of the Tuolumne

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River. Placement of these bents outside the main channel of the river will result in an improvement to both public navigation and the use of the Tuolumne River.

4. The Bridge will be constructed in two stages to maintain two lanes of traffic at all times. The first stage will include the construction of the east half of the new bridge while traffic is maintained on the existing bridge. In the second stage, traffic will be shifted on to the completed portion of the new bridge, the existing bridge will be removed and the west half of the new bridge constructed.
5. A temporary trestle or similar approach will be utilized during construction on the new bridge and removal of the existing bridge. The temporary trestle will be approximately 300 feet long and 50 feet wide extending approximately 20 feet beyond the bridge deck and will be utilized in two stages, concurrent with the staging of construction. During construction, the temporary trestle will be removed during the winter months to allow the river to flow unimpeded during high flows and fully removed once construction is complete. The existing structure will be removed in its entirety including removal of in-river concrete bents.
6. Removal of the bent located in the Tuolumne River will require a sheet pile cofferdam (or equivalent approach) to allow the area around the bent to be dewatered for removal using conventional demolition equipment including cranes, loaders, and hoe-rams, with the exception that the existing bent may be cut off five feet below the mud line and left in place if the County is unsuccessful in its attempts to remove the piers completely. In the event the County is unable to completely remove the piles, the County will remain responsible for any abandoned structures. Should the Commission determine that any abandoned structures have become a hazard to the public, the County will be required to remedy the hazard. The riverbed and banks will be returned to their original condition upon completion of construction activities.
7. Promotion of public access to and use of California's navigable waters is a mandate of the California Constitution (Article 10, Section 4), a condition of statehood in the Act of Admission (Vol. 9, Statutes at Large, page 452), and a responsibility of all public agencies pursuant to the Public Trust Doctrine. As part of the Project action, on October 20, 2015, the Stanislaus County Board of Supervisors: 1) accepted a Feasibility Study prepared by Dokken Engineering pursuant to California Streets and Highways Code section 991 on the feasibility of providing public access to the waterway for recreational purposes as part of the Santa Fe Avenue

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Bridge replacement project; 2) found that construction of a public access facility is not feasible due to revisions in environmental documents, additional right-of way acquisitions, cost increases, and a two year construction delay; and, 3) determined that a public access facility will not be provided at the Project location.

8. Acceptance of the quitclaim deed is not a project as defined by the California Environmental Quality Act (CEQA) because it is an administrative action that will not result in direct or indirect physical changes in the environment.

Authority: Public Resources Code section 21065 and California Code of Regulations, Title 14, section 15378, subdivision (b)(5).

9. A Mitigated Negative Declaration, State Clearinghouse No. 2003042066, was prepared by Stanislaus County and adopted on January 6, 2004 for this project. The California State Lands Commission staff has reviewed such document.

A Mitigation Monitoring Program was adopted by Stanislaus County.

10. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code section 6370 et seq., but such activity will not affect those significant lands. Based upon the staff's consultation with the persons nominating such lands and through the CEQA review process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.

APPROVALS OBTAINED:

County of Stanislaus; National Marine Fisheries Service; U.S. Fish and Wildlife Service

FURTHER APPROVALS REQUIRED:

California Department of Fish and Wildlife; Central Valley Flood Protection Board; Central Valley Regional Water Quality Control Board; U.S. Army Corps of Engineers

EXHIBITS:

- A. Land Description
- B. Site and Location Map
- C. Mitigation Monitoring Program

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RECOMMENDED ACTION:

It is recommended that the Commission:

CEQA FINDING:

Find that a Mitigated Negative Declaration, State Clearinghouse No. 2003042066, and a Mitigation Monitoring Program were prepared by Stanislaus County and adopted on January 6, 2004, for this Project and that the Commission has reviewed and considered the information contained therein.

Adopt the Mitigation Monitoring Program, as contained in Exhibit C, attached hereto.

SIGNIFICANT LANDS INVENTORY FINDING:

Find that this activity is consistent with the use classification designated by the Commission for the land pursuant to Public Resources Code section 6370 et seq.

AUTHORIZATION:

1. Authorize acceptance of a Lease Quitclaim Deed and amendment of Master Lease No. PRC 7183.9 to remove a parcel of sovereign land in the Tuolumne River, as described in Exhibit A. All other terms and conditions of the Master Lease shall remain in effect without amendment.
2. Authorize issuance of a General Lease – Public Agency Use to the County of Stanislaus, beginning December 18, 2015, for a term of 25 years, for demolition and removal of the existing Santa Fe Avenue Bridge; construction, use, and maintenance of a new Santa Fe Avenue Bridge over the Tuolumne River; the construction and use of a temporary trestle bridge; and the potential abandonment in place of in-river bridge piers, as described in Exhibit A and shown on Exhibit B (for reference purposes only) attached and by this reference made a part hereof; consideration is the public use and benefit, with the State reserving the right at any time to set a monetary rent if the Commission finds such action to be in the State's best interests; and liability insurance in an amount no less than \$1,000,000 per occurrence. Applicant may satisfy all or part of the insurance requirements through maintenance of a self-insurance program as outlined in the Lease.

EXHIBIT A

W 26933

LAND DESCRIPTION

A parcel of submerged land situated in the bed of the Tuolumne River, lying adjacent to Section 32, Township 3 South, Range 10 East and Section 5, Township 4 South, Range 10 East, Mount Diablo Meridian, County of Stanislaus, State of California, and more particularly described as follows:

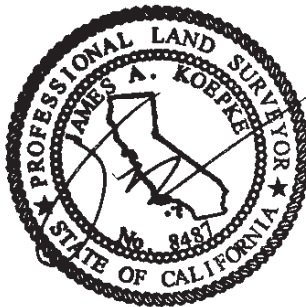
BEGINNING at Station 147+00 on the centerline of Santa Fe Avenue as shown on the survey of the Empire Bridge County Survey No. 1246; thence N 78° 10' 10" E, 80.00 feet to the northeasterly right-of-way line of Santa Fe Avenue; thence along said line and southerly prolongation thereof, S 11° 49' 50" E 750.00 feet; thence leaving said prolongation S 78° 10' 10" W, 130.00 feet to the southwesterly line of Santa Fe Avenue; thence along said line N 11° 49' 50" W 750.00 feet; thence leaving said line N 78° 10' 10" E, 50.00 feet to the POINT OF BEGINNING.

EXCEPTING THEREFROM any portions lying landward of low water marks of said Tuolumne River.

END DESCRIPTION

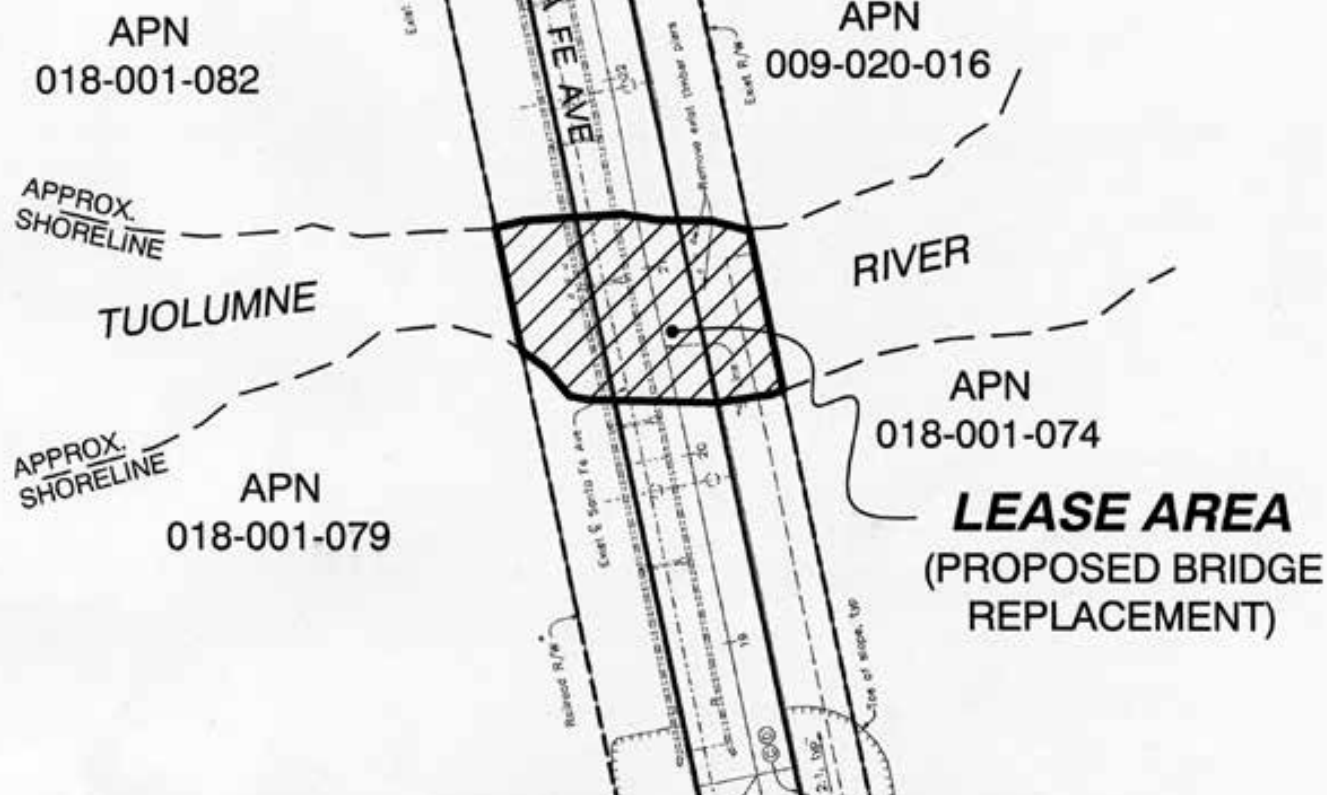
This description is based on Applicant provided design plans, by Stanislaus County Department of Public Works, Engineering and Operations Division, dated February 6, 2015, for a proposed replacement of the existing Santa Fe Avenue Bridge, together with any and all appurtenances pertaining thereto, to be built at a later date within the Lease time frame. This description is to be updated once final as-built plans are submitted.

Prepared 11/05/15 by the California State Lands Commission Boundary Unit



NO SCALE

SITE



SANTA FE AVENUE BRIDGE AT TUOLUMNE RIVER

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

Exhibit B

W26933

COUNTY OF STANISLAUS
APNs 018-001-074, -079, -082
& 009-020-016

GENERAL LEASE -
PUBLIC AGENCY USE
STANISLAUS COUNTY



This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by the Lessee or other parties and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or any other property.

TS 11/05/15

EXHIBIT C
CALIFORNIA STATE LANDS COMMISSION
MITIGATION MONITORING PROGRAM

SANTA FE AVENUE OVER TUOLUMNE RIVER BRIDGE REPLACEMENT PROJECT
(W 26933, State Clearinghouse No. 2003042066)

The California State Lands Commission (Commission) is a responsible agency under the California Environmental Quality Act (CEQA) for the Santa Fe Avenue Over Tuolumne River Bridge Replacement Project (Project). The CEQA lead agency for the Project is Stanislaus County.

In conjunction with approval of this Project, the Commission adopts this Mitigation Monitoring Program (MMP) for the implementation of mitigation measures for the portion(s) of the Project located on Commission lands. The purpose of a MMP is to discuss feasible measures to avoid or substantially reduce the significant environmental impacts from a project identified in an Environmental Impact Report (EIR) or a Mitigated Negative Declaration. State CEQA Guidelines section 15097, subdivision (a), states in part:¹

In order to ensure that the mitigation measures and project revisions identified in the EIR or negative declaration are implemented, the public agency shall adopt a program for monitoring or reporting on the revisions which it has required in the project and the measures it has imposed to mitigate or avoid significant environmental effects. A public agency may delegate reporting or monitoring responsibilities to another public agency or to a private entity which accepts the delegation; however, until mitigation measures have been completed the lead agency remains responsible for ensuring that implementation of the mitigation measures occurs in accordance with the program.

The lead agency has adopted a MMP for the whole of the Project (see Exhibit C, Attachment C-1) and remains responsible for ensuring that implementation of the mitigation measures occurs in accordance with its program. The Commission's action and authority as a responsible agency apply only to the mitigation measures listed in Table C-1 below. Any mitigation measures adopted by the Commission that differ substantially from those adopted by the lead agency are shown as follows:

- Additions to the text of the mitigation measure are underlined; and
- Deletions of the text of the mitigation measure are shown as ~~strikeout~~ or as otherwise noted.

¹ The State CEQA Guidelines are found at California Code of Regulations, Title 14, section 15000 et seq.

Table C-1. Project Impacts and Applicable Mitigation Measures.

Potential Impact	Mitigation Measure (MM) ²	Difference Between CSLC MMP and Lead Agency MMP
I(b): The Project may substantially damage scenic resources	VIS-3: The bridge will include arched girders in the design for aesthetic appeal.	None.
IV(a): The Project may have a substantial adverse effect on a species identified as a candidate, sensitive, or special-status species	BIO-2: Work activities must not occur under the bridge structure between 8:00 PM and sunrise.	None.
	BIO-3: Bats must be excluded from the existing bridge prior to construction. Bats must be excluded either prior to birth of young (March 1-April 15 or prior to hibernation (August 31 to October 15); no bat exclusion is permitted outside the acceptable seasonal time windows.	None.
	BIO-4: Prior to construction, a Bat Exclusion Plan must be developed and submitted to CDFW for approval.	None.
	BIO-5: Until all day roosting bats have been excluded, bird exclusion netting will not be installed on or in proximity to the bridge.	None.
	BIO-9: The new bridge will be designed to include suitable night roosting habitat for Townsend's big-eared bat.	None.
	BIO-10: The new bridge will include elements suitable for both night and day roosting activity for multiple bat species.	None.
	BIO-14: Riparian vegetation will be preserved	Riparian vegetation will be preserved to the maximum extent possible <u>on State sovereign land</u> . Trees will be trimmed rather than removed whenever feasible <u>on State sovereign land</u> .

² See Attachment C-1 for the full text of each MM taken from the MMP prepared by the CEQA lead agency.

Potential Impact	Mitigation Measure (MM) ²	Difference Between CSLC MMP and Lead Agency MMP
	BIO-20: Measures to avoid impacts to migratory swallows. Unoccupied swallow nests must be removed from the bridge prior to the nesting season, and partially constructed nests must be removed during the nesting season. If a nest is completed during the nesting season, it must remain in place until the young have fledged.	None.
	BIO-22: All construction within the river channel must take place between June 1 and October 1.	None.
	BIO-23: BMPs to reduce erosion including the use of mulches, soil binders and erosion control blankets	<p>All vehicle and equipment maintenance procedures would be conducted off-site. In the event of an emergency, maintenance would occur away from the stream channel <u>and off of State sovereign land</u>.</p> <p>All construction materials, vehicles, stockpiles, and staging areas would be situated outside of the stream channel <u>and off State sovereign land</u>, as feasible.</p> <p>All disturbed areas would be restored to pre-construction contours and re-vegetated, either through hydroseeding or other means, with native species <u>on State sovereign land</u>.</p>
	BIO-24: The Project requires a National Pollutant Discharge Elimination System (NPDES) permit for discharges or storm water associated with construction activities.	None.
	BIO-25: A Spill Prevention Control Countermeasure Plan will be prepared.	None.
	BIO-26: The Project will utilize silt fences and fiber rolls to reduce sediment discharge into the flow throughout the action area.	None.

Potential Impact	Mitigation Measure (MM) ²	Difference Between CSLC MMP and Lead Agency MMP
	BIO-27: The Project biologist will walk downstream with a seine net the width of the channel to encourage juvenile fish to move to downstream habitat prior to cofferdam installation.	None.
	BIO-30: All fueling and maintenance of vehicles and other equipment and staging areas shall occur at least 20 meters (66 feet) from any riparian habitat or water body.	None.
IV(b): The Project may have a substantial adverse effect on a riparian habitat or other sensitive natural community	BIO-2: See above.	None.
	BIO-3: See above.	None.
	BIO-4: See above.	None.
	BIO-5: See above.	None.
	BIO-9: See above.	None.
	BIO-10: See above.	None.
	BIO-14: See above.	See above.
	BIO-20: See above.	None.
	BIO-22: See above.	None.
	BIO-23: See above.	See above.
	BIO-24: See above.	None.
	BIO-25: See above.	None.
	BIO-26: See above.	None.
	BIO-27: See above.	None.
	BIO-30: See above.	None.
IV(c): The Project may have a substantial adverse effect on federally protected wetlands	BIO-2: See above.	None.
	BIO-3: See above.	None.
	BIO-4: See above.	None.
	BIO-5: See above.	None.
	BIO-9: See above.	None.
	BIO-10: See above.	None.
	BIO-14: See above.	See above.
	BIO-20: See above.	None.
	BIO-22: See above.	None.
	BIO-23: See above.	See above.
	BIO-24: See above.	None.
	BIO-25: See above.	None.
	BIO-26: See above.	None.
	BIO-27: See above.	None.
	BIO-30: See above.	None.

Potential Impact	Mitigation Measure (MM) ²	Difference Between CSLC MMP and Lead Agency MMP
IV(d): The Project may interfere substantially with the movement of native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors or impede the use of native wildlife nursery sites	BIO-2: See above.	None.
	BIO-3: See above.	None.
	BIO-4: See above.	None.
	BIO-5: See above.	None.
	BIO-9: See above.	None.
	BIO-10: See above.	None.
	BIO-14: See above.	See above.
	BIO-20: See above.	None.
	BIO-22: See above.	None.
	BIO-23: See above.	See above.
	BIO-24: See above.	None.
	BIO-25: See above.	None.
	BIO-26: See above.	None.
	BIO-27: See above.	None.
	BIO-30: See above.	None.
VII(b): The Project may create a significant hazard to the public or environment through the routine transport, use, or disposal of hazardous materials.	HAZ-2: Prior to final design and construction, a preliminary site investigation should be conducted to further evaluate the following potential and documented areas of concern within the project site.	Only the following measure as part of HAZ-2 is applicable to CSLC: A bridge survey should be performed by a California Certified Asbestos Consultant and licensed lead paint inspector prior to planned demolition activities.
VIII(a): The Project may violate water quality standards or waste discharge requirements	WQ-5: The contract specifications will include Best Management Practices to reduce erosion during construction.	None.
	WQ-6: The Project requires a Section 1602 Streambed Alteration Agreement through the California Department of Fish and Wildlife.	None.
	WQ-7: The Project requires a Water Quality Certification (401) and a Nationwide Permit for Waters of the U.S. (404).	None.
	WQ-8: The Project requires a NPDES General Construction Permit for discharges of storm water associated with construction activities.	None.

Potential Impact	Mitigation Measure (MM) ²	Difference Between CSLC MMP and Lead Agency MMP
	WQ-9: The construction contractor shall adhere to the State Water Resources Control Board Order No. 2009-0009-DWQ NPDES Permit pursuant to Section 402 of the Clean Water Act. The permit authorizes storm water and authorized non-storm water discharges from Caltrans construction properties, facilities, and activities and would be required prior to construction of this Project.	None.
VIII(e): The Project may create runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide additional sources of polluted runoff	WQ-5: See above.	None.
	WQ-6: See above.	None.
	WQ-7: See above.	None.
	WQ-8: See above.	None.
	WQ-9: See above.	None.
VIII(f): The Project may otherwise substantially degrade water quality	WQ-5: See above.	None.
	WQ-6: See above.	None.
	WQ-7: See above.	None.
	WQ-8: See above.	None.
	WQ-9: See above.	None.
XVII(a): The Project may have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal	BIO-2: See above.	None.
	BIO-3: See above.	None.
	BIO-4: See above.	None.
	BIO-5: See above.	None.
	BIO-9: See above.	None.
	BIO-10: See above.	None.
	BIO-14: See above.	See above.
	BIO-20: See above.	None.
	BIO-22: See above.	None.
	BIO-23: See above.	See above.
	BIO-24: See above.	None.
	BIO-25: See above.	None.
	BIO-26: See above.	None.
	BIO-27: See above.	None.
	BIO-30: See above.	None.

ATTACHMENT C-1

**Mitigation Monitoring Program Adopted by
Stanislaus County**

ENVIRONMENTAL COMMITMENTS RECORD

Minimization and Mitigation Summary for Santa Fe Avenue Over Tuolumne River Bridge Replacement Project

Minimization/Mitigation Measure	Timing/ Reporting Milestone	Reporting/ Responsible Party*	Verification of Compliance		
			Name/ Initials	Date	Remarks (Optional)
Biological Resources					
BIO-1: The Tuolumne River and all associated riparian vegetation must be designated an Environmentally Sensitive Area (ESA) and will be either staked or fenced with orange snow fencing to ensure the construction areas will not encroach further than the work limits designated in the environmental permits. The project biologist will periodically inspect the ESA to ensure sensitive locations remain undisturbed.	Prior to Construction	Contractor			
BIO-2: Work activities must not occur under the structure between 8:00 p.m. and sunrise.	During Construction	Contractor			
BIO-3: To avoid direct impacts to individuals, bats must be excluded from the existing bridge structure prior to construction. Bats must be excluded either prior to birth of young (March 1-April 15) or prior to hibernation (August 31-October 15); no bat exclusion is permitted outside the acceptable seasonal time windows. Exclusions must be conducted under supervision of a qualified bat biologist experienced with bridge bat roosts and exclusion methods. Exclusion devices must remain in place for the duration of the construction project.	Prior to Construction	County			
BIO-4: Prior to initiation of construction, a Bat Exclusion Plan must be developed and submitted to the CDFW for review and approval.	Prior to Construction	County			
BIO-5: Until all day roosting bats have been excluded, bird exclusion netting will not be installed on or in proximity to the bridge structure. All bird exclusion netting must be maintained in good working order to prevent the entrapment of roosting bats.	During Construction	Contractor			
BIO-6: Until all day roosting bats have been excluded, combustion equipment, such as generators, pumps, and vehicles, must not be parked or operated under the existing structure.	During Construction	Contractor			
BIO-7: Prior to tree removal, trees containing potential day roosts, identified as “habitat trees”, must first be trimmed with initial supervision by a qualified bat expert. Trees must be trimmed or removed using a two-step process conducted over two consecutive days. Examples of habitat trees and proper procedures will be provided in the field to the tree cutting crew, after which the crew can work unsupervised by the bat expert.	During Construction	County/ Contractor			

* The Resident Engineer (RE) is responsible for all activities obligatory of the contractor.

The RE should sign off for the contractor on all measures listed in the table as being a responsibility of the contractor.

Minimization/Mitigation Measure	Timing/ Reporting Milestone	Reporting/ Responsible Party*	Verification of Compliance		
			Name/ Initials	Date	Remarks (Optional)
Trimmed habitat trees must be removed the next day to prevent re-occupation of trimmed trees.					
BIO-8: Prior to removal of habitat trees, all non-habitat trees adjacent to and/or surrounding habitat trees (including branches and small limbs containing no potential suitable habitat), as identified by a qualified bat biologist, must be removed/trimmed on the first of the two days and must only use chainsaws – no dozers, backhoes, cranes, or other heavy equipment.	During Construction	Contractor			
BIO-9: To mitigate for lost Townsend's big-eared bat night roosting habitat, the new bridge must be designed to include suitable night roosting habitat specifically for Townsend's big-eared bat. Townsend's big-eared bat night roost replacement habitat must be designed by a qualified bat biologist, in coordination with the County. Prior to implementation, the replacement habitat design will be submitted to the CDFW for review and approval.	Prior to Construction	County			
BIO-10: To mitigate for lost roosting habitat, the new bridge will include elements suitable for both night and day roosting activity for multiple bat species. These elements must be designed by a qualified bat biologist, in coordination with and with input from bridge engineers so that suitable replacement roost habitat consistent with acceptable bridge design parameters are implemented. Replacement habitat will be designed in coordination with CDFW.	Prior to Construction	County			
BIO-11: Prior to initiating construction, high visibility fencing or flagging shall be installed along the ESA boundaries to prevent encroachment into the riparian areas adjacent to the construction site or sensitive areas within the project area.	Prior to Construction	Contractor			
BIO-12: During the environmental awareness training, contractors and work crews will be briefed on the need to avoid damage to elderberry plants and the possible penalties for not complying with these requirements.	During Construction	County			
BIO-13: During the construction period, a qualified biologist will periodically inspect the construction areas to ensure elderberry plants within limits of indirect effects (Shrub # 87-90, #60-66 & #43) and shrubs within the railroad right-of-way are not disturbed.	During Construction	County			
BIO-14: Riparian vegetation will be preserved to the maximum extent possible. Trees will be trimmed rather than removed whenever feasible.	During Construction	Contractor			
BIO-15: Following construction, the project area will be revegetated with a mix of native hydroseed and plugs/cuttings. There will be a sufficient number of plugs/cuttings to replace the	Post Construction	County/ Contractor			

* The Resident Engineer (RE) is responsible for all activities obligatory of the contractor.

The RE should sign off for the contractor on all measures listed in the table as being a responsibility of the contractor.

Minimization/Mitigation Measure	Timing/ Reporting Milestone	Reporting/ Responsible Party*	Verification of Compliance		
			Name/ Initials	Date	Remarks (Optional)
60 elderberry shrubs and other riparian vegetation cleared for temporary impacts. All plants will be species native to the Tuolumne River riparian corridor. The final revegetation plan will be approved by the Service. No long term monitoring or maintenance of the area is required.					
BIO-16: Prior to initiating construction, the County will purchase 47 credits at a Service approved Conservation Bank for direct effects to 60 elderberry shrubs.	Prior to Construction	County			
BIO-17: Elderberry shrubs adjacent to project limits, within railroad right-of-way, must be provided protective sheeting to block construction dust and debris. During the construction period, a qualified biologist will periodically inspect construction areas to ensure these elderberry shrubs are not damaged. Should damage occur, the project will mitigate for damaged stems in coordination with USFWS.	During Construction	County/ Contractor			
<p>BIO-18: The following seasonal work restrictions will be implemented during construction to avoid disturbing nesting Swainson's hawk:</p> <p>If construction activities will occur during the Swainson's hawk nesting season (March 1 through September 15), a preconstruction survey of suitable nesting habitat within and adjacent to the project area shall be conducted by a qualified biologist no more than two weeks prior to the start of construction, to determine if nesting Swainson's hawk are present.</p> <p>If any nesting activity is observed, all activities within 152 m (500 ft) of the nest shall be postponed until any young have fledged, as determined by a qualified biologist.</p>	Prior to Construction	County			
BIO-19: No more than two weeks prior to the start of construction, a qualified biologist shall survey the riparian vegetation, within and adjacent to (if possible), the project area for presence of nesting birds. If any nesting activity is observed, the County shall coordinate with CDFG to determine the best course of action.	Prior to Construction	County			
BIO-20: If construction on the existing bridge is planned to occur during the swallow nesting season, measures will be taken to avoid impacts to migratory swallows. To protect migratory swallows, unoccupied nests must be removed from the existing bridge structure prior to the nesting season (February 15th – September 15th). During the nesting season, the bridge structure must be maintained through the active removal of partially constructed nests. Swallows can complete nest construction in	During Construction	County/ Contractor			

* The Resident Engineer (RE) is responsible for all activities obligatory of the contractor.

The RE should sign off for the contractor on all measures listed in the table as being a responsibility of the contractor.

Minimization/Mitigation Measure	Timing/ Reporting Milestone	Reporting/ Responsible Party*	Verification of Compliance		
			Name/ Initials	Date	Remarks (Optional)
approximately 3 days. After a nest is completed, it can no longer be removed until an approved biologist has determined that all birds have fledged and the nest is no longer being used.					
BIO-21: The County will mitigate for permanent impacts to riparian vegetation offsite at a 1:1 ratio.	Post Construction	County			
BIO-22: All construction work that will take place in the live channel must occur between June 1 and October 1 during the summer low-flow period to minimize project effects to migrating salmonids.	During Construction	Contractor			
<p>BIO-23: Contract specifications will include the following Best Management Practices, where applicable, to reduce erosion during construction.</p> <p>The area of construction and disturbance would be limited to as small an area as feasible to reduce erosion and sedimentation.</p> <p>Measures would be implemented during land-disturbing activities to reduce erosion and sedimentation. These measures may include mulches, soil binders and erosion control blankets, silt fencing, fiber rolls, temporary berms, sediment de-silting basins, sediment traps, and check dams.</p> <p>Existing vegetation would be protected where feasible to reduce erosion and sedimentation. Vegetation would be preserved by installing temporary fencing, or other protection devices, around areas to be protected.</p> <p>Exposed soils would be covered by loose bulk materials or other materials to reduce erosion and runoff during rainfall events.</p> <p>Exposed soils would be stabilized, through watering or other measures, to prevent the movement of dust at the project site caused by wind and construction activities such as traffic and grading activities.</p> <p>All construction roadway areas would be properly protected to prevent excess erosion, sedimentation, and water pollution.</p> <p>All vehicle and equipment maintenance procedures would be conducted off-site. In the event of an emergency, maintenance would occur away from the stream channel.</p>	During Construction	Contractor			

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Minimization/Mitigation Measure	Timing/ Reporting Milestone	Reporting/ Responsible Party*	Verification of Compliance		
			Name/ Initials	Date	Remarks (Optional)
<p>All concrete curing activities would be conducted to minimize spray drift and prevent curing compounds from entering the waterway directly or indirectly.</p> <p>All construction materials, vehicles, stockpiles, and staging areas would be situated outside of the stream channel as feasible. All stockpiles would be covered, as feasible.</p> <p>Energy dissipaters and erosion control pads would be provided at the bottom of slope drains. Other flow conveyance control mechanisms may include earth dikes, swales, or ditches. Stream bank stabilization measures would also be implemented.</p> <p>All erosion control measures and storm water control measures would be properly maintained until the site has returned to a pre-construction state.</p> <p>All disturbed areas would be restored to pre-construction contours and re-vegetated, either through hydroseeding or other means, with native species.</p> <p>All construction materials would be hauled off-site after completion of construction.</p>					
BIO-24: The proposed project would require a National Pollutant Discharge Elimination System (NPDES) permit for discharges of storm water associated with construction activities. A Storm Water Pollution Prevention Plan (SWPPP) would also be developed and implemented. The SWPPP will regulate construction runoff from rain events and will require the contractor to follow a specific plan to address stormwater runoff.	Prior to Construction	County			
BIO-25: To minimize the potential for accidental spills of materials hazardous into the aquatic environment, a Spill Prevention Control Countermeasure Plan (SPCCP) will be prepared. The SPCCP will require the contractor to be in compliance with preventative sedimentary and pollutant conditions and will restrict activities that would be harmful to the surrounding aquatic environment.	During Construction	County			
BIO-26: The project will utilize silt fences and fiber rolls to reduce sediment discharge into the flow through the action area.	During Construction	Contractor			
BIO-27: To protect listed fish, the project biologist will slowly walk downstream two or three times with a seine net the width of the channel, in order to encourage any juveniles to move out of the channel to downstream habitat, prior to installation of cofferdams.	During Construction	County			

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BIO-28: Pursuant to Executive Order 13112, contract specifications shall include, at a minimum, the following measures to prevent and minimize the introduction of invasive, non-native, or alien species into the project area during project implementation. All earthmoving equipment to be used during project construction shall be thoroughly cleaned before arriving on the project site. All seeding equipment (i.e., hydroseed trucks) shall be thoroughly rinsed at least three times prior to beginning seeding work	During Construction	Contractor			
BIO-29: During project activities, all trash that may attract predators shall be properly contained, removed from the work site, and disposed of regularly. Following construction, all trash and construction debris shall be removed from work areas.	During Construction	Contractor			
BIO-30: All fueling and maintenance of vehicles and other equipment and staging areas shall occur at least 20 meters (66 feet) from any riparian habitat or water body. All workers shall be informed of the importance of preventing spills and of the appropriate measures to take should a spill occur.	During Construction	Contractor			
Visual Resources					
VIS-1: ESA fencing will be placed to minimize removal of riparian vegetation.	Prior to Construction	Contractor			
VIS-2: If the Central Valley Flood Protection Board allows, trees removed for construction will be replaced with a minimum of five trees at the south bank of the river and five trees at the north bank of the river along the new bridge.	Post Construction	County			
VIS-3: The bridge will include arched girders (haunches) in the design for aesthetic appeal.	Final Design	County			
Cultural Resources					
CUL-1: If previously unidentified cultural materials are unearthed during construction, it is Caltrans' policy to halt work in that area until a qualified archaeologist can assess the significance of the find. Additional archaeological survey will be needed if project limits are extended beyond the present survey limits.	During Construction	County			
CUL-2: Public Resource Code Section 5097.98 and Section 7050.5 of the California Health and Safety Code protect Native American burials, skeletal remains and grave goods, regardless of age and provide method and means for the appropriate handling of such remains. If human remains are encountered, work should	During Construction	County/ Contractor			

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halt at the location of the area or nearby areas suspected to overlie remains, and the county coroner should be notified immediately. At the same time, a qualified archaeologist should be contacted to evaluate the situation. If the human remains are of Native American origin, the coroner must notify the Native American Heritage Commission within twenty-four hours of such identification. Public Resource Code Section 5097.98 details steps to be taken if remains are determined to be of Native American origin.					
Water Quality					
WQ-1: Temporary berms would be constructed along the tops of slopes to prevent water from running uncontrolled down the slopes during construction activities. Water would be collected in these berms and taken down the slopes in an erosion-proof drainage system. Sediment that is collected within these berms would be allowed to "settle out" and would be removed from the site.	During Construction	Contractor			
WQ-2: The staging area would contain a barrier between staging activities and the active water channel.	During Construction	Contractor			
WQ-3: Access roads would contain a barrier between roads and the active water channel to reduce erosion and sedimentation.	During Construction	Contractor			
WQ-4: Prior to tree removal a native hydroseed seed mix would be applied to the area to stabilize soil to reduce erosion during construction. Once construction is complete another application of native hydroseed would be applied to prevent erosion post construction.	During Construction	Contractor			
WQ-5: Contract specifications will include the following Best Management Practices, where applicable, to reduce erosion during construction. The area of construction and disturbance would be limited to as small an area as feasible to reduce erosion and sedimentation. Measures would be implemented during land-disturbing activities to reduce erosion and sedimentation. These measures may include mulches, soil binders and erosion control blankets, silt fencing, fiber rolls, temporary berms, sediment desilting basins, sediment traps, and check dams. Existing vegetation would be protected where feasible to reduce erosion and sedimentation. Vegetation would be preserved by installing temporary fencing, or other protection devices, around	During Construction	Contractor			

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<p>areas to be protected.</p> <p>Exposed soils would be covered by loose bulk materials or other materials to reduce erosion and runoff during rainfall events.</p> <p>Exposed soils would be stabilized, through watering or other measures, to prevent the movement of dust at the project site caused by wind and construction activities such as traffic and grading activities.</p> <p>All construction roadway areas would be properly protected to prevent excess erosion, sedimentation, and water pollution.</p> <p>All vehicle and equipment maintenance procedures would be conducted off-site. In the event of an emergency, maintenance would occur away from the stream channel.</p> <p>All concrete curing activities would be conducted to minimize spray drift and prevent curing compounds from entering the waterway directly or indirectly.</p> <p>All construction materials, vehicles, stockpiles, and staging areas would be situated outside of the stream channel as feasible. All stockpiles would be covered, as feasible.</p> <p>Energy dissipaters and erosion control pads would be provided at the bottom of slope drains. Other flow conveyance control mechanisms may include earth dikes, swales, or ditches. Stream bank stabilization measures would also be implemented.</p> <p>All erosion control measures and storm water control measures would be properly maintained until the site has returned to a pre-construction state.</p> <p>All disturbed areas would be restored to pre-construction contours and re-vegetated, either through hydroseeding or other means, with native species.</p> <p>All construction materials would be hauled off-site after completion of construction.</p>					
WQ-6: The proposed project would require a Section 1602 Streambed Alteration Agreement through the California	Prior to Construction	County			

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Department of Fish and Wildlife to ensure protection from impacts to the streambed or associated riparian habitat.					
WQ-7: The proposed project would require a Water Quality Certification (401) and a Nationwide Permit for Waters of the U.S. (404).	Prior to Construction	County			
WQ-8: The proposed project would require a NPDES General Construction Permit for Discharges of storm water associated with construction activities (Construction General Permit 09-2009-DWQ). A SWPPP would also be developed and implemented as part of the Construction General Permit.	Prior to Construction	County			
WQ-9: The construction contractor shall adhere to the SWRCB Order No. 2009-0009-DWQ NPDES Permit pursuant to Section 402 of the CWA. This permit authorizes storm water and authorized non-storm water discharges from Caltrans construction properties, facilities and activities and would be required prior to construction of this project. As part of this Permit requirement, a SWPPP shall be prepared prior to construction consistent with the requirements of the RWQCB. This SWPPP will incorporate all applicable BMPs to ensure that adequate measures are taken during construction to minimize impacts to water quality.	Prior to Construction	County			
Hazardous Waste					
HAZ-1: Any encountered asbestos-containing pipe will require proper handling and disposal in accordance with regulatory requirements.	During Construction	Contractor			
HAZ-2: Prior to final design and construction, a preliminary site investigation (i.e., sampling and analytical testing) should be conducted to further evaluate the following potential and documented areas of concern within the project site: An aerially deposited lead (ADL) investigation should be performed along the unpaved shoulder of the existing Santa Fe Avenue roadway within the project site to evaluate construction worker health and safety and soil management procedures. A bridge survey should be performed by a California Certified Asbestos Consultant and licensed lead paint inspector prior to planned demolition activities. If excess soil will be generated from the project and relinquished to the Contractor for offsite reuse or disposal, or if imported soil is required to achieve final finish grade, sampling and analytical testing for potential contaminants of concern (heavy metals,	During Construction	County			

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petroleum hydrocarbons, etc.) is recommended for material acceptance. A copy of DTSC's Information Advisory Clean Imported Fill Material is presented in ISA Appendix E.					
HAZ-3: Existing lane paint striping removed during planned roadway improvement activities may require special handling and disposal requirements unless combined with sufficient asphalt grindings per Caltrans' Special Provisions.	During Construction	Contractor			
Noise Resources					
NOI-1: Construction noise will follow Caltrans Section 14-8.02 of the Standard Specifications which states the following: Do not exceed 65 dBA at 50 feet from the job site activities from 10 p.m. to 7 a.m. Equip an internal combustion engine with the manufacturer-recommended muffler. Do not operate and internal combustion engine on the job site without the appropriate muffler.	During Construction	Contractor			
U.S. Fish and Wildlife Service - Section 7 Consultation					
Prior to initiating construction, high visibility fencing or flagging shall be installed along the ESA boundaries to prevent encroachment into the riparian areas adjacent to the construction site or sensitive areas within the project area.	Prior to Construction	Contractor			
Riparian vegetation will be preserved to the maximum extent possible. Trees will be trimmed rather than removed whenever feasible.	During Construction	Contractor			
Following construction, the project area will be revegetated with a mix of native hydroseed and plugs/cuttings. There will be a sufficient number of plugs/cuttings to replace the 60 elderberry shrubs and other riparian vegetation cleared for temporary impacts. All plants will be species native to the Tuolumne River riparian corridor. The final revegetation plan will be approved by the Service. No long term monitoring or maintenance of the area is required.	Post Construction	County			
Prior to initiating construction, the County will purchase 47 credits at a Service approved Conservation Bank for direct effects to 60 elderberry shrubs.	Prior to Construction	County			
National Oceanic and Atmospheric Administration – Section 7 Consultation					
Contract specifications will include the following Best Management Practices, where applicable, to reduce erosion during construction.	During Construction	Contractor			

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<p>The area of construction and disturbance would be limited to as small an area as feasible to reduce erosion and sedimentation.</p> <p>Measures would be implemented during land-disturbing activities to reduce erosion and sedimentation. These measures may include mulches, soil binders and erosion control blankets, silt fencing, fiber rolls, temporary berms, sediment de-silting basins, sediment traps, and check dams.</p> <p>Existing vegetation would be protected where feasible to reduce erosion and sedimentation. Vegetation would be preserved by installing temporary fencing, or other protection devices, around areas to be protected.</p> <p>Exposed soils would be covered by loose bulk materials or other materials to reduce erosion and runoff during rainfall events.</p> <p>Exposed soils would be stabilized, through watering or other measures, to prevent the movement of dust at the project site caused by wind and construction activities such as traffic and grading activities.</p> <p>All construction roadway areas would be properly protected to prevent excess erosion, sedimentation, and water pollution.</p> <p>All vehicle and equipment maintenance procedures would be conducted off-site. In the event of an emergency, maintenance would occur away from the stream channel.</p> <p>All concrete curing activities would be conducted to minimize spray drift and prevent curing compounds from entering the waterway directly or indirectly.</p> <p>All construction materials, vehicles, stockpiles, and staging areas would be situated outside of the stream channel as feasible. All stockpiles would be covered, as feasible.</p> <p>Energy dissipaters and erosion control pads would be provided at the bottom of slope drains. Other flow conveyance control mechanisms may include earth dikes, swales, or ditches. Stream bank stabilization measures would also be implemented.</p>					

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<p>All erosion control measures and storm water control measures would be properly maintained until the site has returned to a pre-construction state.</p> <p>All disturbed areas would be restored to pre-construction contours and re-vegetated, either through hydroseeding or other means, with native species.</p> <p>All construction materials would be hauled off-site after completion of construction.</p>					
The proposed project would require a NPDES permit for discharges of storm water associated with construction activities. A SWPPP would also be developed and implemented. The SWPPP will regulate construction runoff from rain events and will require the contractor to follow a specific plan to address stormwater runoff.	Prior to Construction	County			
To minimize the potential for accidental spills of materials hazardous into the aquatic environment, a SPCCP will be prepared. The SPCCP will require the contractor to be in compliance with preventative sedimentary and pollutant conditions and will restrict activities that would be harmful to the surrounding aquatic environment.	During Construction	County			
The Tuolumne River and all associated riparian vegetation will be designated an environmentally sensitive area and will be either staked or fenced with orange snow fencing to ensure construction areas will not further encroach work limits designated in the environmental permits. The project biologist will periodically inspect the fenced area to ensure sensitive locations remain undisturbed.	During Construction	Contractor			
<p>To control invasive species at the project site:</p> <p>All landscaping and re-vegetation installed as part of the project will consist of a biologist approved plant palette from native, locally adapted species; and</p> <p>Prior to arrival at the project site and prior to leaving the project site, the contractor must clean all construction equipment that may contain invasive plants and/or seeds to reduce the spreading of noxious weeds.</p>	During Construction	Contractor			
The County will purchase salmon and steelhead habitat restoration credits at a NMFS-approved anadromous fish conservation bank at a 3:1 ratio for the footprint of the project	Prior to Construction	County			

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area.					
To protect listed fish, two or three biologists will slowly walk downstream two to three times with a seine net the width of the channel, in order to encourage any juveniles to move out of the channel to downstream habitat, prior to installation of a cofferdam.	During Construction	County			
Section 401 Water Quality Certification					
TBD Following Receipt of Permit					
Section 1602 Lake and Streambed Alteration Agreement					
TBD Following Receipt of Permit					
Central Valley Flood Protection Board Encroachment Permit					
TBD Following Receipt of Permit					

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